

Minutes of a Public Hearing of the Town Board of the Town of Riverhead held at the Wading River Elementary School, Wading River, New York on Wednesday, March 1, 1989 at 7:00 p.m.

Present: Joseph. F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Irene J. Pendzick, Town Clerk
Rick Hanley, Planning Director

Absent: Patricia Moore, Town Attorney

Supervisor Janoski called the meeting to order at 7:00 p.m.

Supervisor Janoski, "The representative of Buckhurst, Fish Hutton and Katz hereafter known as Buckhurst, has arrived with the maps of the proposal. As you know, the town commissioned sometime ago, a Wading River Hamlet Study. The work that we will discuss this evening is the result of the consultant, our Planning Department and of course a group of people who I would like to thank at the beginning here, the task force, the number of people who became involved with the town government in producing the work. I see some people in the audience who are some familiar hands at public hearings but I am very happy that there are a number of new faces and I think that it's a good sign that so many people from Wading River have taken the time to be present here tonight. The public hearing is a legal process. It is recorded and there is a record kept. It is upon this type of information, receiving criticism, comments, recommendations from the public upon which the Town Board makes its decisions in considering these proposals. We ask that you limit your comments to five minutes. And it is the policy that we will not recognize an individual for a second time until everyone who wishes to speak, has spoken. And then of course, we will go back again if you wish to speak again and the Town Board will be here as long as need be to give everyone the opportunity to say anything that they want concerning the study. Now, I know that this is going to be a very friendly group with different points of view but I urge you to direct your comments to the Town Board. We're the ones who are here to receive your points of view. Please do not talk to members of the audience and of course I ask that members of the audience don't interrupt the speaker when the speaker has the floor. We will use that microphone when you are recognized and as I said, please talk to us and let's not have any interchange between members of the audience and the speaker. We like to keep it friendly. With us here tonight is Rick Hanley who is the Director of the Planning Department. He is the department

head and Evelyn Strauss from Buckhurst. So having said that, why don't you begin."

Rick Hanley, Planning Director, "Good evening ladies and gentlemen. In January of 1988, the Riverhead Town Board hired the firm of Buckhurst, Fish, Hutton and Katz to complete the professional planning work associated with the Wading River Hamlet Study. The Wading River Hamlet Study was first in a series that this Town Board has authorized. The reasons why the Board decided to engage in this work was several. First, the development of Western Suffolk as a regional employment center was exercising development pressure on the existing vacant lands and farms within the Wading River Hamlet. When the contract with Buckhurst was signed by the Town Board, the Riverhead Town Board had in front of it over 80,000 square feet of commercial floor space in site plan application. And the Riverhead Planning Board had over 500 lots in subdivisions. Those two quantities viewed the effect of the development pressure that was existing within the community. The second reason that the Board decided to engage the firm was an idea that a build out of development under existing zoning would have negative impacts on the functioning of the hamlet and would also tend to have an impact on the existing farmland. And thirdly, the residents of the hamlet, I believe, recognized the value of the hamlet as an entity. It expressed that to the Town Board at a number of public hearings. And the desires for this hamlet or the residents of this hamlet were to have the Town Board better plan its growth. Upon hiring of the firm, the Riverhead Town Board designated the Wading River Task Force. The Task Force was made up of both community leaders, civic association representatives, local building leaders as well as government officials and business leaders. The intent of that task force was to provide input to Buckhurst on a goal or the goals for the Planning Board for the hamlet as well as goal development. The intent of that task force was to provide for or discover some of the best ways to achieve the goals within the hamlet. Specifically, the goals were reduced to the following: the first being a commercial development goal which would (in my mind) discourage the development of strip commercial development and instead encourage a more coordinated approach to commercial development. Better plans and coordination with contiguous lots. There was a residential development goal which was designed to create lots on existing residential vacant land which were in conformance with existing lots within the hamlet and as well as preserve natural features on those parcels. There was an agricultural development goal to try to conserve prime ag-soils within the hamlet where possible and to also encourage the conservation of agricultural produces within the hamlet. The final goal as stated by the task force was to develop a public facility plan for recreation. Both passive open space and town wide recreational facilities within the hamlet. Given that, the task force started its work. And the first order of business was to begin to think about how the Town Board could not extend an existing moratorium on commercial development. The task force saw very intense development pressure in the commercial zones

within the hamlet and it embarked upon a phasing of the work so that the commercial portion of the plan would be done first. With that and with the diligent work of the task force and the Planning Department as well as the Town Board, the consultants submitted in June, six months after the contract was signed with Buckhurst, integral recommendations for commercial development mostly within the 25 area. At that point, the Town Board was able not to extend the building moratorium that existed and it charged the Planning Department with reviewing site plans for the hamlet eventually approved by the Town Board. At that point, the task force began to do the balance of the planning work with the consultant for the residential areas and the industrial areas of the hamlet. What I think I'd like to do now is turn the floor over to Evelyn and let her describe a little bit about the approach that the consultants had to Wading River and some of the basis for their recommendations for changes of zone. After she does that, I'll come back to the microphone and we'll talk a little bit about the maps and the proposed zoning. Then you can begin to make your statements."

Evelyn Strauss, Consultant, "Good evening. I'd first like to explain the process that we went through along with the task force arriving at some of the recommendations that is in the document. First of all, we looked at the whole of Wading River and we analyzed it and looked at the opportunities and the problems that existed in Wading River. And at the same time, we frequently met with the task force and others members of the community and with the Planning Board to analyze all these issues and put them all together. At the same time, dealing with the goals that were set by the task force. After that, we came up with recommendations, a series of recommendations, brought them back to the task force, took them back with their recommendations regarding our recommendations. And then once more, we added to that method of implementing these recommendations. So the implementation methods are more than just the zoning as you'll see when we go through this at the end. First, I'll talk about commercial because that's what we attacked first. When we looked at the commercial we first decided to see how much land is actually zoned commercial and how much demand there is for commercial development. We determined that by doing an economic study. We looked at the total existing population and potential population, not just for Wading River but for the surrounding areas as well all the way both to the south, to the east and to the west. We computed, based on existing zoning, what the total population could be within (I think it was) a total buildout population of 25 years. Taking all of that population, we looked at how much that could be converted into actual commercial space and there are formulas that land institutes and other governmental jurisdictions use to determine that number and there is a formula that you use. We decided that the amount of commercial that could take care or service the residential, not just in Wading River, was that the commercial that currently existed was too great. The amount of land was too great for the amount of commercial that could actually exist here. So our proposal led to that we

recommended that that amount of land could be diminished. Here is the Business "CR" zone as you know as it currently exists. There are also a few other small commercial areas in here and a little historic area and there was the potential, there was some growing in here. And we recommended, when we looked at recommending a shrinking of the amount of commercial land that's currently available because that leads to the problem that actually already occurs which is strip development, a lot of vacant land, traffic problems related to strip development and other issues related to large vast areas of land with the small amount of commercial that would grow sporadically over time. There was also another problem with the commercial area which would support urban design aspects which also relates to traffic inefficient flow, pedestrian movement and other services. We looked at the condition of other retail areas including the historic district and Hulse Landing and the potential to growth related to this area here related to the cemetery or related to the Wildwood State Park. Then we went on after we looked at the commercial and made the recommendations for the commercial, we moved on to the residential areas and we looked at this at the same time with the industrial zoned land and with the agricultural areas. As you know, there are very high quality soils in Wading River and we took this into account along with the fact that there are after farming operations within Wading River and the change overall in all of Long Island and the whole northeast region with growing and changing of farming operations. We also looked at the need for more affordable housing which doesn't really exist in Wading River and ensuring more high quality development both in urban design and in terms of the quality of new development. In looking at the agricultural, we looked at preserving these active farming operations, preserving the high quality soils as well as the rural image that currently exists in Wading River which is one reason why the development pressure is so great is because people generally view Wading River to have a very rural scenic view and it has a very special atmosphere. And overdevelopment would ruin that atmosphere and that image. And we also wanted to take into account the townwide agricultural policies and other state regulations and state programs. We also looked at recreation in Wading River. We looked at a whole view of open space. Even though there is a large amount of open space in Wading River from the large cemetery, the Boy Scout camp, next to it Wildwood, there's the whole beach area and then there are the marshes that are unable to be developed on. Even though there's a large amount of open space, the really isn't a large amount of recreational facilities, either passive or active recreation. We also looked at problems in terms of access to the beach areas, the problem of the beach areas themselves and the erosion and the bluff areas. We looked at the other private institutions that exist within Wading River and we made recommendations regarding those. We also looked at the Sound Avenue scenic corridor which ends at Wading River and we looked at the potential for expanding that scenic corridor. And we wanted to look at the overall open space system in terms of the forest land which currently exists and

potential for protecting that. Let me just discuss this with the map which will show you a little bit. This is a map that graphically depicts the vacant land in Wading River. The brown here that is more of a burgundy brown is land that's vacant that's currently greater than five acres. So these are large masses of land areas that are greater than five acres that are vacant and that are not farmland. They are not being used as farmland but they are vacant because they're not developed but under current zoning could be developed. Other vacant land in this light brown area are areas that are not utilized for anything but are smaller than five acres. Then these black dash lines here show you areas that are current parcels of land that have developments proposed on them. They're not developed yet but they're proposals that are under way. We considered all of this during the process. The green dash lines are committed open land but they are committed because they are either institutional or ecologically sensitive lands. This map just summarizes very quickly a lot of these issues that we looked at. The primary agricultural areas down here that are currently zoned for industrial. And we looked at whether they should become agricultural or whether they should become residential and how much of each etc., or whether they should remain industrial. We looked at the effects of some of the major institutions such as the cemetery and the Wildwood State Park especially in terms of spin-off regarding retail or commercial development related to those institutions. We also looked at the existing residential land that currently is zoned and what the effect would be if fully developed under the current zoning ordinance. And we looked at other commercial areas besides the main commercial area along Route 25A. We also looked at potential down here along Route 25 and Wildwood State Park related and the historic area up in here. Also as I said, the issue related to beachfront access where they could occur, why they shouldn't occur, certain places where they're private, accessible or not. And then Rick is going to talk about... This is the proposed zoning. As I said, the proposed zoning is one aspect of the recommendations. We also proposed urban design guidelines. A set of guidelines to be used by an architectural review board. We also recommended tax incentive programs, government assistant programs regarding major recreational facilities, road or landscaped improvements, entry signage such as that and other programs such as transfer of development right programs and business improvement district programs. I'll turn it over to Rick to explain that to you."

Rick Hanley, "Essentially, all of the work that the Planning Department, the task force did over a period of eight months boils down to a proposed development plan which is implemented through an amendment to the town zoning map and zoning code. I think for the purposes of this hearing, I'll briefly describe the zoning that is proposed at this hearing. So that everyone feels that they understand what is happening on their particular property if that's the issue or it's just a general issue of amble development. Since the task force and the consultant started with the commercial zone as the most highly developed density

area relative to application, I'll probably start with that. As Evelyn stated, the firm found an extreme excess of commercially zoned land within this hamlet. After the numbers were crunched in Brookhaven Town and Wading River relative to what we could expect with regard to residential development, the numbers came out to be astounding. We found that the existing zoning, the existing commercial zoning in Wading River which essentially ran from the town line all the way to a point past the intersection of Harper Road and 25A was over a million square feet of excessive commercial land or land that could develop into a million square feet of excessive commercial or retail development. We didn't feel that that was an appropriate amount of commercial to maintain on the map. And what we did was we did a lot analysis of the existing "CR" as far as what the natural features were on the site and what some of the constraints were as far as Health Department regulations. And we proposed a reduction in the total amount of retail development in the corridor. Just so you have a feel for where this ends, it went from the town line all the way to the property of Camp WauwePax. We also recommended that for those properties north of Sound Avenue or 25 across from the open space camp, we would recommend the change from "CR" which is a retail zone, to a multi-family residential or professional zone. The thought there was that all of those parcels are wooded parcels and felt that we would like to try to keep as much of that existing land in woodland as possible. The multi-family residential, professional office zones both require sideyards, frontyards, rearyards to try to maintain as much of the vegetation as possible. We also saw a need for trying to coordinate the development on the corridor as much as possible and to try to keep the commercial development centralized and try to give additional uses and centralizes those uses as opposed to having haphazard commercial office, residential development along this strip. We went on further to recommend a new highway commercial service zone for those areas around the intersection of Harper Road and 25A. The thought there was; already there are uses that are considered to be highway service uses. I believe there is a lumberyard and a facility which sells fire wood and the development of the lots largely to allow for more intense commercial uses than you would find in the retail area. We have proposed that the area south of Sound Avenue between Sound Avenue and Route 25A as a farm neighborhood zone. That is a new zoning district to be included in the Riverhead Town Code. The intent of that zoning district is to recognize that this area is characterized as having prime agricultural soils. Since one of the goals of the task force was to try to preserve those soils wherever possible, this zoning would require subdivision design which would present to the Planning Board, agricultural lots as part of the subdivision plans. This way there would be fee ownership of ag. lots and the intent is to allow for agricultural uses to continue and also to provide agricultural land for new agricultural uses which we expect. The southern part of the hamlet is also experiencing some changes and they are highlighted by a change from industrial "A" which exists throughout the southern portion of the hamlet bounded by the camp to a residential "A"

zone. Residential "A" exists in the town code presently and requires a minimum lot size of 40,000 square feet. The intent there was to recognize that this area is considered by the County of Suffolk through the Health Department and the Suffolk County Planning Commission, to be a deep recharge area and we didn't feel that industrial development in this area, number one; is a reasonable type of development given the aquifer. And two; we didn't feel that would be a reasonable place from a market point of view, to develop industrial land. The last bit of change dealing with Wading River involves all the land north of 25A which is now residential "B" on the town zoning map which requires a minimum lot size of 30,000 square feet. And the intent here is to propose a change to residential "A" which requires 40,000 square feet. So it's an increase in 25% in the lot size. The reason for that proposal is to attempt to recognize the importance of some of the natural features on the vacant parcels which Evelyn showed you. Each one of these areas here that are presently vacant are under subdivision review presently by the Planning Board and they are characterized as having either very severe slopes on site or freshwater wetlands. And the thought is that with the larger lot size in that area, there would be a better opportunity to create larger building envelopes on a lot and have less impact on natural features. We've maintained an open space recreational zone on the Boy Scout property. The intent there is to ensure that that property does not develop out under its existing zoning. The Town Board changed that zone a number of months ago. They were quite concerned about the fact that even though it was operating as a camp, it was zoned in a zone that would allow development on the site and we wanted to make sure that that particular property maintains itself as a camp. The balance of the property in the hamlet is defense institutional zone and already exists on the zoning map. That essentially the National Cemetery and acts as a buffer for the Naval Weapons Testing Facility to the south. Those are the proposals. I guess I should talk a little bit about one area that received a tremendous amount of work both from the Planning Department and the consultant and the task force and that involves this area which I call the southwest sector of which is bounded by Wading River Manorville Road and 25A. I stated before that the Town Board had in front of it approximately 80,000 square feet of commercial site plan application in this area. As you can see, this particular area of the hamlet, even though when one would drive by, looks as if it's in agricultural use but is in reality subdivided land. Most of these parcels are in the order 1.5 to 2 acres in size. They all provide for commercial development. One thing the task force saw was that if this were allowed to build out with the existing zoning without any controls on access, what you would have is a situation that one sees in western Suffolk County where you have strip style retail development with curbcut, curbcut, curbcut, curbcut for each parcel. What that does to a thoroughfare like 25A, is it creates increased traffic congestion. And the belief of the Planning Department and the task force was that that traffic congestion contributes to a lack of business. So what we thought would be a

better approach than to allow so many cuts on the Main Road was to try to centralize access. And the task force has recommended the development of a new roadway which would intersect with Dogwood and wrap around to the south and east and meet up with an existing curbcut on Wading River Manorville Road by King Kullen. The intent of that is to try to get all of the access points to this retail area or these retail parcels centralized in the center of the area and not allow for access on 25. It has the added benefit to the property owners providing two business fronts, if you will. One of the things that we found with retail development as very important to the retail developer, is visibility of his building. The thought here is that by providing for this new roadway, we would do two things at once. We would minimize the amount of curbcuts on 25A and related traffic congestion and at the same time provide for double frontage on each parcel from the roadway. I think Mr. Janoski, that pretty much sums up our presentation."

Supervisor Janoski, "Thank you Rick. That is the public information part of this meeting. And before we go on any further, usually when we're at Town Hall we are more visible than we are at floor level and we have our name plates in front of us so that you know who it is that is present at the meeting. So let me introduce Councilman Lombardi, Councilman Boschetti, Town Clerk Irene Pendzick who is here to provide true and accurate records of this proceeding, Councilman Pike and Councilwoman Civiletti. And of course I'm Joe Janoski. I would also like the record to reflect that the hour of 7:55 has arrived. The Town Clerk will please read the notice of Public Hearing."

PUBLIC HEARING - 7:00 p.m.

I have affidavits of publishing and posting of a public hearing to be held at Wading River School on Tuesday, March 1, 1989 at 7:00 p.m. to hear all interested persons who wish to be heard regarding: Proposed Amendments to the Town Zoning Code and Zoning Map with respect to the implementation of the Wading River Hamlet Study.

Supervisor Janoski, "Thank you Irene. The first order of business I would like to conduct is to have the members of the task force who are present to stand up so that we could thank you. Was there any reluctance to stand up over there? I would invite the members of the task force to be amongst the first speakers and would recognize any one of those members of the task force which is Joe Lynch. Please come up to the microphone. One of the parts of this proceeding because it is recorded audibly, is that you must give your name and address so that the record reflects who it is that is providing the testimony."

Joseph Lynch, "I am president of the Wading River Civic Association. Mr. Supervisor and Town Board members. It's been

Joseph Lynch, Continued

almost two years since the community of Wading River, feeling the pressure of eminent and widespread development, came to you for the help in avoiding becoming the sprawling, congested, unattractive areas we see in many parts of Western Suffolk and Nassau. It seemed to the civic groups in our community that Wading River had one last chance to avoid this. It also appeared to be an unique opportunity because most of the land was still undeveloped. We would most certainly become an extension of the route of never ending shopping centers and of communities that run into one another with no uniqueness. We asked the Planning Board and the Town Board for a hamlet study to be conducted by a private planning firm with community input. After five different consultants were interviewed by the Planning Board, one seem to be the obvious choice. Buckhurst, Fish, Hutton and Katz of New York City using a community task force method, had planned many successful and beautiful communities including the main business area of Southampton. A task force was set up using the Wading River residents who are members of business and financial communities, civic association representatives and town Planning Board and Town Board members to be coordinated by the town Planning Department. A year of many meetings and many hours of discussion fueled by the expertise of the professional consultant, resulted in the final list of recommendations to the town. This seems to be the success story. What a way to plan a community. Using people with different interests and points of view along with the expert advice and coming to an agreement. As a result, we have proposed a hamlet that has a central business area that is laid out in an orderly fashion with a minimum of curbcuts and traffic congestion. This would be surrounding by residential development with a density varying adversely with the distance from the hamlet center. Also, architectural compatibility and landscape design will be coordinated through an architectural review board. The Wading River Civic Association wholeheartedly endorses the full adoption of the hamlet study recommendations believing that the commercial, residential and recreational needs of the community will benefit. We'd also like to thank and applaud the Riverhead Town Board and the Planning Board for their farsightedness and concern for Wading River. Thank you."

Supervisor Janoski, "Thank you Joe. Is there any other member of the task force who wishes to be recognized? Joe Baier, resident of Wading River, member of the task force and also a member of the Riverhead Planning Board. And in that capacity I'd just like to indicate to the Town Board that at our last meeting two weeks ago, we reviewed the study. We formulated a series of comments and recommendations which will be forwarded to you regarding specifically the codes themselves that were proposed and some suggested changes in maps and some recommendations for the recreational areas. And we'd hope you would consider that in your deliberations as part of the review of the hamlet study. In general, I say the Planning Board endorses the material that's been submitted here this evening and presented to you. As I said, some minor changes but generally we're very satisfied with the way the study was conducted and the report that was forthcoming."

John Heilbrunn, "I'm a member of the Wading River Civic Association, a member of the Century Farms Civic Association and I was a member of the Wading River Hamlet Study Task Force. First, I'd like to thank the Town Board for their authorizing of the study and I'd like to also thank the consultant and the members of the Planning Board, Rick Hanley and Brenda Filmanski for their efforts in this regard. I'd just like to make a couple of housekeeping issue notices for you tonight. In the public notice and I think this was transcribed from the reports that were prepared by the task force. The codes there say that there shall be a minimum of 17% or 20% in the "CR" zone of lot coverage. That, at our last meeting that Joe Baier just referenced two weeks ago, we reviewed that and we (as a task force) agreed that this was a typographical error. We did not mean to say minimum. We meant to say maximum. So I just wanted it to be on record as having said that so there can be no misunderstanding in that regard. The second housekeeping item I'd just like to address is that something else which I think we inadvertently left out of our study and report from the consultant and that has to do with hours of operation. The Planning Board and I believe the Town Board will be receiving this memorandum which was just recently signed by members of the task force and this memorandum addresses commercial use and hours of operation. I'd just like to read to you in part what this says. And again, this was signed by all members of the task force. This task force agrees that hours of operation should be imposed on commercial uses excepting those restaurant and entertainment establishments subject to the appropriate licensing requirements of the New York State Liquor Authority. Hours of operation should be limited to any 18 consecutive hours and this limitation to be included in the covenants and restrictions made as part of the site plan approval. In other words, it's the intention of our task force that any businesses that come into the new zone be limited to 18 hours of operation. Those are my two housekeeping comments and I'd just like to close by saying that I really appreciate the opportunity to having work on this task force with other task force members and the Planning Board etc. And I particularly want to say that one of the best things that I think has come of this is this architectural review board which I know has already been put in place and is already operating. And I think with that alone, we are going to see a much better development in Wading River in the future. So again, thank you very much for the opportunity to having served on this task force and thank you for your cooperation in authorizing it."

Supervisor Janoski, "Thank you. Is there any other member of the task force who wishes to be heard at this time? That being the case, I now recognize anyone who wishes to address the Board."

Rob Goldman, Riverhead, "Representing the North Fork Environmental Council. The North Fork Environmental Council is

Rob Goldmlan, Continued

pleased to support the additions to the Riverhead Town Code recommended in the Wading River Hamlet Study. The zoning and land use changes proposed by the study are sound and creative. They will produce potential density population, preserve open space and farmland and preserve and enhance community character and appearance. We are impressed with the study's recommendations for the Route 25A area. Namely the formation of the multi-family, office district, the highway service district and the redesign of the "CR" district. We note that a careful balance between commercial residential development, aesthetic standards and transportation issues have been skillfully achieved here. We strongly urge the Town Board to follow through with the construction of the proposed "CR" main service road and to eliminate the curbcuts onto Route 25A completely. We also strongly urge that the ARB and Planning Board follow the recommendations for pedestrian circulation, landscaping and building design orientation. We wholeheartedly support the study's recommendation to create a farm neighborhood district as shown on study map number 17 with an intended two acre yield formula and transfer of development rights mechanism. Although not presented in legislation here tonight, N.F.E.C. supports the study's recommendations to upgrade the historic retail center of Wading River, eliminate the commercial "C" zone on Route 25 adjacent to the Wading River Motel, establish a neighborhood retail zone on Route 25 west of Manorville Road and revise the boundaries of the commercial "C" zone on Hulse Landing Road. N.F.E.C. strongly urges that the Board move quickly to legislate the study's recommendation to upzone certain areas from residential "B" to residential "A". These areas are shown on study map 17. In conjunction with this measure, we concur with the study's recommendation not to allow private driveways to be cut into Route 25, Route 25A, Manorville Road, Hulse Landing Road and North Wading River Road. N.F.E.C. similarly urges that the Board expedite the study's recommendation to create a major new park for Wading River and to expand and improve existing parks. In the same light, we support the study's recommendation for improved public access to beaches at Hulse Landing new Camp DeWolff and Lewin Road. The Wading River Hamlet Study both product and process is exemplary. N.F.E.C. commends the excellent and difficult work done by the study's steering committee and by the consulting firm of Buckhurst, Fish, Hutton and Katz, Inc. These officials, business people, planning professionals and especially private citizens of Wading River have shown us the way to go in controlling growth for the good of the town. We eagerly look forward to similar efforts for the hamlet of Riverhead, Aquebogue and Jamesport this year. Thank you."

Supervisor Janoski, "Thank you. Yes, Mr. Lewin."

Ernest Lewin, Calverton, "I've lived in Calverton and also Riverhead. I've been farming here in Wading River for the past 40 some odd years. I think I'll read this so I don't go over the five minutes. I think there has been a great injustice done regarding farmland for the proposed Wading River Hamlet Study. I

Ernest Lewin, Continued

do not like to use the word discrimination but this is the case. The eastern boundary of the Wading River Hamlet Study is the Lewin's eastern boundary. It is located in the Wading River School District and in the Riverhead School District. But at present, TDR's are not transferred across school district lines. There has been attempt to evaluate this so called farm neighborhood zone with the Wading River Hamlet Study. Navy land or part of the National Cemetery is south of Route 25 extending to our eastern boundary and then going north. Why in the Wading River Hamlet Study, is the crash zone north of 25A and east of the northern boundary of the Navy? Is this another attempt to de-evaluate property for recreation and open space? I know some of this land is in the ACUZ. The Hamlet of Wading River is more prone to crash zones than Route 25A. When the Navy started condemning land, they wanted access to the Long Island Sound. Therefore, wiping the Hamlet of Wading River off the map. We defeated them. Commercial zoning; another de-evaluation of open space is from Route 25A west along 25A to our western boundary. No commercial zoning. All the rest of 25A with the exception of the Navy and the Boy Scout camp, are small business or commercial. The proposed recreation site on Sound Avenue reaching to 25A, belongs to the Lewins. Is it also the intention of the town to de-evaluate this property with this study so that the Town Recreation department will not have to pay fair market value? In the Wading River Hamlet Study, the farm neighborhood zone will be two acres. Again, de-evaluation of farmland. What I'm asking is market value. Not the de-evaluation of farm assets. Farmers nationwide are having economic problems. If it were not for the farmer's assets in his land, there would be very little farming on Long Island. The land, the only land that would remain in agriculture is farmland that has the building rights owned by the county. There will be exception for people with other assets other than farming to offset the cost of growing grapes and raising horses. Let's call it tax write offs. I am not in favor of the two acre zoning. It will use land at a very rapid pace because we only have so much land here. And if we go to two acres, we're just going to eat it right up. Clustering is not the answer. If you take a hundred acre parcel and you cluster on 40 acres, 60 would remain open. In time, there will be a need for those 60 acres that are open. We will have a new generation of planners and Town Board members. If they show a need for this 60 acres, it will be down zoned. I thought zoning was a tool for long range planning. I do not see this in this study. But I do see a taking of farmers' rights."

Supervisor Janoski, "Mr. Danowski."

Peter Danowski, Riverhead, "Just asking a question of Rick Hanley that I've asked in advance. So he knows the answer. I know I've got to direct myself to this table and so I am but really I think you ought to have explained the farm neighborhood zone and I think they should have explained as well, what we discussed last night at the Town Board meeting in Riverhead which is the discount out of yield. It's not just a question. I

believe that you're going to one acre zoning or two acre zoning. In addition to that, I think your proposed ordinance is going to say that you're going to discount from the proposed yield, slopes, wetlands and possibly other items. So I think that should be addressed by your consultants to this particular ordinance."

Supervisor Janoski, "Thank you Peter."

Rick Hanley, "The farm neighborhood zone which Peter referred to as codified in the public hearing notice, essentially requires a minimum lot size of 80,000 square feet per lot. The code also provides for the yield on the property to be arithmetically calculated by taking the number of acres on the parcel and multiplying that by .4. The intent of the code is also to allow the Riverhead Planning Board in their review of a subdivision map, to cluster the residential lots on a portion of the property that does not exhibit prime soils and to try to create fee title/ag. lots on those areas on the parcel which exhibit prime agricultural soils. The overall intent of the farm neighborhood zone is to use clustering as a way of conserving prime soils throughout the Town of Riverhead in general and specifically with regard to this portion of Wading River. Peter's second question involves a recommendation from the Riverhead Planning Board which was talked about at a public hearing last night at Riverhead Town Hall which would allow the Planning Board or would require the Planning Board to subtract from yield those areas which are considered either to be freshwater wetlands or those areas which are considered to be unbuildable because of steep slopes. The numbers that are being used for the definition of steep slopes are 20% slopes on a parcel of less than 80,000 square feet and 30% slopes on parcels of greater than 80,000 square feet. Again, the intent of this land management device is to attempt to get larger lots and to create larger building envelopes on parcels so that natural features will be protected. I think that's it. One more comment. The work that was presented to the task force and the Riverhead Planning Board with regard to the Wading River Study did not make mention of my last comment. There was no recommendation for the subtraction of yield for sloped areas or wetland areas. The recommendation of the consultant was to merely rezone residential land north of Sound Avenue to a 40,000 minimum square foot lot. And the intent was that that upzoning of 25% in the lot size would take care of the protection of the natural feature. Peter's comments relates to two subdivisions which exist within Wading River. Sound Breeze subdivision and Lewin Farms subdivision which are in the SEQRA process presently. The Lead Agency on the SEQRA process is the Riverhead Planning Board. And through SEQRA, they have requested that the applicant submit a map which subtracts those slope areas and those wetlands from the yield. So that is an add-hock decision relating to those two subdivisions in the SEQRA process. I know that a lot of you here don't understand what I just said as far as SEQRA but it's a technical approach to land development. The State Envi-

Rick Hanley, Continued

ronmental Quality Review Act and it allows a Lead Agency to require applicants to do certain things. That's what's being done on those two subdivisions."

Councilman Pike, "Ricky, just a quick question before you go. You mentioned that the code that we have before us tonight, the farm neighborhood zone, has a specific formulation for the calculation of yield and that it's .4 units per acre."

Rick Hanley, "The number of acres on the site multiplied by time .4."

Councilman Pike, "Alright. And the reason I mention it is, the idea rather than .5 which would be one unit per two acres, to deduct out a 20% reduction in lieu of doing the natural site thing that was at the hearing last night?"

Rick Hanley, "The .4 number came from the practice of the Riverhead Planning Board over the years when they look at subdivision maps. Essentially, what they find for the most part is if you're looking at a map that was designed in a one acre zone, you can rest assured that approximately 20% of the land in any subdivision in a one acre zone, would be subtracted from yield because of the need for public highways and for recharge of storm water. The .4 number comes from that tradition of an 80% yield with relation to a number of lots to acres and it's just half of that given the fact that we've gone from a one acre zone to a two acre zone."

Paul Baker, President of the Organization of Riverhead Civic Associations, "We'd like to thank the task force for the many hours of service they have rendered to the Hamlet of Wading River and to the Town Riverhead at large. We'd also like to thank the Town Board for courageous planning. It will not always be accepted by everyone but we believe it is a good effort. And we'd further like to thank the number of civic associations from Jamesport, Flanders, Manorville that have travelled here this evening to join us in presenting this hamlet study. We hope that this is the beginning of intelligent planning and that it will continue in all the hamlets of our town. We further hope that all future applications for development of these zones will include a study of potential tax impact to the people of Riverhead. We can not ignore what over development means to taxes for support of services. We are certain that your efforts to plan for Wading River will be well received by the majority of residents in this town and we hope that our attendance here this evening will lead to speedy adoption of the proposed recommendations. We hope that this adoption is not dragged out and invalidated by private concerns. Thank you very much."

Supervisor Janoski, "Mr. Talmage."

Bill Talmage, Riverhead, "Another long night. I'm a member of the Long Island Farm Bureau's Local Affairs Committee

Bill Talmlage , Continued

and I'm a member of the Riverhead Town Agricultural Preservation Task Force. The Long Island Farm Bureau's Local Affairs Committee opposes the farm neighborhood upzoning to two acres (actually it works out to less than two acre zoning or greater than two acre zoning depending on how you look at it) for several reasons. One because we fear that it may be used as a hook, used later as an excuse for townwide upzoning to two acres. Which given the current feeling among the farmers, I can guarantee you, will not flush. Also, upzoning does not preserve open farmland. That idea is something that's been flashing around the town. People say we are going to help you stay in farming. We're going to upzone you. So therefore, the land will always stay open. People have to understand that the people have to borrow against the value of their land to put in their crops. If you don't have the value of that land or that value is reduced, your business is harmed. It may be harmed irreparably. You're no longer as healthy. Farming is changing in Riverhead. Farms need to use that equity to finance long term changes, big investments in new crops. It doesn't preserve farming. It helps force farming out. Another argument that you'll hear is well, the County is requiring two acre zoning so you can farm the land that's left over for the cluster. Anybody who knows something about farming, knows that lawns and nitrates from yard work put more of a nitrogen load in the ground than any farm. People putting that turf builder and weed and feed on it at a rate that no farmer could afford to do. So we're working very hard in the Farm Bureau. That's just an interpretation by the County Health Department. We say don't put a silly zoning ordinance on top of a silly interpretation. We can get the interpretation changed but then we've got to deal with a zoning ordinance. The most important thing is a moral issue and I want to talk to the Town Board on this. We're going to here and we've heard some rationalizations tonight. When people are having trouble with their conscience for doing something, they tend to rationalize in order to try to make themselves feel better. If you listen carefully tonight, you will hear several rationalizations. It will be couched in all kinds of fancy language. You'll hear the trust me; values won't drop. They'll pick up. You'll get your land. Your land won't be devalued. You'll hear... We were going to take it all. We were going to upzone you to ten acres but we're only going to do two. So we're being nice to you. We're giving you a break. We're hearing the sacrifice rationalization that's for the greater good. It's for everybody in town and that even though it's only a few, it's for everyone. And we'll hear the rationalization of profits. These are speculators. These are the developers. They're not humans. They're going to make so much money. The land is worth so much. We can take so much for them. And the cop out rationalization of there's some guy from the county in the Health Department that says you've got two acre zoning. Anyway it's not us, it's him. He's an appointee. He's not an elected official. You'll hear all those things if you listen long enough. But I also know all the people on the Town Board personally. I know that you're decent people. I know personally that if I had access to raid your retirement funds and I knew I

wouldn't get caught, you had nothing but circumstantial evidence, you can never pin it on me. I still wouldn't do it. I can promise you that. I think your parents raised you to know the difference between right and wrong. I think you all are struggling with the same rationalizations. I think when introspection time comes, you'll say there are a lot of points here. But basically when it comes right down to it, it's wrong to take the value from this handful of people who have worked their whole lives. No matter what the cost. If we're going to take something from them of value, we need to pay for what we're taking. Lastly, I just want to point out that I think that the proposed zoning change that was discussed last night, was not well planned and ill advised. And I think proof of that is that it was incorporated in no way in this detailed planning study that took place over two years. And I think that's more proof of the fact that last night's proposal was a bad idea. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else who wishes to be recognized to speak? Is that you Bill?"

Bill Hauggard, Wading River, "Thank you Mr. Supervisor. First of all, I'd like to make clear exactly what it is we're discussing here tonight. I believe we're discussing a change of zone in a specific area to wit: this area here. Is that correct?"

Supervisor Janoski, "That's not true. It is an addressing of everything that you see on the map there. Rick why don't you."

Bill Hauggard, "I don't see that here in the notice. I see the proposed zoning and then I see four subsections dealing first of all, with the farm neighborhood which is shown as here but is not shown as here. So this doesn't count."

Rick Hanley, "This is the consultant's map. This is not the publication map."

Bill Hauggard, "In other words, we're only talking about this as being zoned farm neighborhood. We're talking about this being highway commercial. This is multi-family residential and this is "CR" and amendments to "CR" and nothing else. Is that correct."

Supervisor Janoski, "He's making it very difficult for the reader of the minutes of this proceeding to interpret what's going on. Let the record show that Mr. Hauggard left the microphone to point to areas of his concern at the map. And Bill would you now proceed to give us your observations."

Bill Hauggard, "Well, I want to make sure that's what we're talking about. Is it."

Supervisor Janoski, "Ok. Fine. Yes."

Bill Hauggard, "We're not talking about this, this, this or all of this."

Supervisor Janoski, "Bill, a study was conducted on everything that you see within the boundaries of what has been identified as the Hamlet of Wading River. Certain areas have been proposed to have the current zoning changed to another type of zoning. There is proposal to create new zoning codes in the town zoning code."

Bill Hauggard, "Let me put it another way Mr. Supervisor. I believe to effect a residence "A" for example; you're going to need another public hearing."

Supervisor Janoski, "Oh, absolutely."

Bill Hauggard, "Thank you. Now, the second question is... In other words, that is not under discussion tonight."

Supervisor Janoski, "No it's not. What Bill is asking is that when we create the new zone, there is going to have to be a public hearing for that. And as far as the proposals here, this is the public hearing that addresses the question of the implementation of residence "A" on that location."

Bill Hauggard, "Where? It's not in the notice. It's not in the notice. You've only got a notice for this."

Rick Hanley, "That's not true Bill."

Bill Hauggard, "Well, where is it."

Supervisor Janoski, "It's not a new zoning category. It's an existing zoning category in the town code."

Bill Hauggard, "There is no provision in here that says that this area per the zoning map, will be changed to residence "A". I'll get on because I am convinced... I will go over it again Mr. Supervisor."

Supervisor Janoski, "We will make sure that what has happened here tonight has been done properly. And if there is any error, we'll absolutely do it over."

Bill Hauggard, "I thought maybe you could point it out to me quickly but I read this whole thing and it didn't show it as far as I could see. Alright. Why did you publish two maps?"

Supervisor Janoski, "Existing and proposed."

Bill Hauggard, "It didn't come out that way either. You've got two identical maps."

Rick Hanley, "I think I can clear it up. Usually when the town proposes changes to the ordinance, the town code or the

zoning map, typically what we do is we provide an existing zoning map in the publication and a proposed zoning map in the publication. It seems that what happened was that there was an error and the proposed zoning map was printed twice rather than an existing zoning map and a proposed zoning map. We have also done publications in the past where we have published only the proposed zoning map with the intending codes. Those publications have been legal publications. We have actually changed the map and the code without any problem or suit. I don't think it necessarily presents a problem in terms of publication. I think it's clear to a reasonable reader that the intent of the Board is to change the zone as shown on that map."

Bill Hauggard, "Now, Mr. Heilbrunn pointed out the technical defect of the minimum business. I believe though in the public notice the maximum in the "CR" zone is correct and that the building area for the residence "E" and the last one, business "E", is both misstated as minimum. Now, I want to unleash my one liner which is that I thought in the residence "E", you are making it available to build condo maximums. Thank you. Next, I notice also... Now to get to my subject which is the study basically and then some specific comments on one area. Now, first of all, the study puts a lot of faith in economic considerations and we make projections of figures and so forth that show that we're not going to "need" a certain amount of commercial development. This has been also supported as a point of view. Unfortunately, for the record, let me state without going into great details, is an improper basis for zoning. It has a tendency to limit competition and to force all kinds of tremendous dislocations in the property use of the property. I don't think that's proper zoning and I think generally, court decisions uphold that based strictly on economic grounds of that sort. Secondly, the statistics on which it's based are static. They take no account of the future. The unforeseen changes that we've had in Wading River, the overwhelming presence of our power plant, the possibility that that presence will be taken away, the fact that we based our school system, our high school for example on projections not too many years ago. All of which proved to be inaccurate. However, I do notice that in one critical area you do ignore the hamlet study. They seem to indicate that in the business "CR" zone you should go down in covered lot area and down as low as 10% is mentioned and then you go up to 20. Do I read that correctly? In the business "CR" zone you have a lot coverage, a maximum lot coverage of 20. Now, you're also going up to 80,000 square feet. And I want to ask, make it clear again, you're not talking about the number of buildings per 80,000 square feet. My understanding is that up to a certain, you can get two or three buildings on such a parcel. Is that correct? So you're talking about three buildings possibly on 80,000 square feet. At least two. Is that right? "

Supervisor Janoski, "No. The zoning tries to accomplish a campus style development which is a separate building construction. Rick."

Rick Hanley, "The intent of the new "CR" is to provide a maximum building area of 20% on any parcel within "CR". So all one would have to do is take the number of square feet on the parcel and multiply it by 20% and that is what we define is a maximum building area which means the maximum floor area, (I'm sorry) maximum footprint of the building. In other words, if one were to build a building two stories, he would essentially double his footprint and floor area. So the maximum building area in the Riverhead Town Code is a footprint dimension. Not a floor area dimension. That also does not include parking and or other public facilities. It is only building."

Supervisor Janoski, "Bill, if I could have your attention. I'm not going to allow what has been going on to go on too much longer. This is an opportunity for you to tell us what you think of what is proposed here. If there is any misunderstanding, we will go through great length to make sure you have the opportunity to speak to our consultant and our Planning Director. This is not a court room. It is a public hearing and I know you like to have fun but please give us the information that we're looking for as to what you approve of and what you object to as far as what's being proposed here."

Bill Hauggard, "What I approve and what I object to is dependent on what you're proposing. And I say that according to my reading of this proposed amendment and I wanted to verify that, you are going to a minimum lot area in the business "CR" zone of 80,000 square feet."

Supervisor Janoski, "Bill, you know that we have a legal requirement to publish these things ten days to in advance of the public hearing. You know why we do that is to give you an opportunity to read it. And prior to coming here, to get some understanding of what is being proposed. I will absolutely suggest to you that you go over and talk to Rick and the consultant. I will recognize someone else while you are being informed so that you can make a statement based on the facts that you ascertain from them. How about if we do it that way?"

Bill Hauggard, "No."

Supervisor Janoski, "Fine. Then your five minutes are coming to a close, so I wish that you would conclude."

Bill Hauggard, "Your parking is continuing at 250 square feet for a parking place?"

Supervisor Janoski, "I'm not going to answer questions. This is not the forum for asking questions."

Bill Hauggard, "Your parking, according to this change, goes to 250 square feet per lot as opposed to 150. This means then of course, the parking density; that is the number of parking places are much lower and I object to that. Also, in the.. Was that clear?"

Supervisor Janoski, "Yes it was and I thank you."

Bill Hauggard, "I also wanted to point out to you that although in the 80,000 square foot area, you have eight lots of one and a half acres. Now, I'm talking about here."

Supervisor Janoski, "Let the record show that Bill is pointing at the map again."

Bill Hauggard, "I'm pointing at what Mr. Hanley referred to as the southwest quadrant of the business "CR" zone. In that area you are proposing a 55 foot right-of-way. Actually, say 50 here across those lots which will subdivide them. Consequently, reducing the size to half of one and a half acres or approximately 30,000 square feet. I object to that."

Supervisor Janoski, "Thank you Bill."

Bill Hauggard, "Does that mean my time has expired?"

Supervisor Janoski, "I'm sorry. I thought that you were finished. Maybe I was mistaken."

Bill Hauggard, "Well, I guess anyway.... I think that the plan that has been proposed has not been properly drafted. It has not been properly noticed for public hearing and I object to that too."

Supervisor Janoski, "Thank you Bill. Is there anyone else present wishing to address the Town Board on this subject? Yes."

Gene Genova, "I'm president of the Century Farms Civic Association. The members of our association support the recommendations put forth by the task force. One of our members as a task force participant, has kept us well apprised of the progress of the study. We do feel that this organized approach to the development of our community is essential to the future growth of Wading River."

Supervisor Janoski, "Thank you. Mr. Wulforst."

Cyril Wulforst, Baiting Hollow, "When we started off listening to Mr. Hanley make his presentation and he talked about agricultural and he talked about or he passed over the fact that we have new things coming. Now, I wish that you could tell me that I could get in on it. Otherwise, we're going back into years. Now, the other thing here. He never put anything in his presentation, we're talking about agricultural lots or something. Well, American agricultural is based on the fact that everything is subsidized. And we here on Long Island are asking the farmer to subsidize the town by paying taxes and things. I think it should be the other way around. That if Wading River wants farmland, that they should help pay the taxes. We had a big shock this past Fall when our tax bills came in. And you make

say, well, okay. We don't charge as much or we're not paying as much for land because we have some kind of a program going. But in the meantime, we're taking some taxes off of our farmland and we're putting them on our buildings and our buildings can't be used for nothing but for agriculture. So in other words, it's impossible to farm. So you people, if you think you like agriculture, I think you should subsidize it."

Supervisor Janoski, "Thank you Cyril. Is there anyone else present wishing to address the Board. And once again, may I remind you, I see your hand. Yes. Back there. Please address your comments to the Town Board."

Bill Pagnini, Lewin Hills, "Good evening. I live in Wading River. I live in a place called Lewin Hills. I just noticed on this map here that in my little private, little quiet community that I love very much, there are roads attaching the back that don't exist right now. Which means that if you're going to put 1,000 homes in back of me, they're going to drive through my community. If there are going to be 1,000 homes in there, there's going to be 2,000 cars. Two cars per home. They are all going to drive through my community to get out. When you get out of my community, you run out on Sylvan Drive which is a curve in the road. Right now we have 200 cars trying to get out there in the morning which causes a lot of problems. You're going to have 2,200 cars trying to get out of there and you're going to create a problem that should not be. I'd like to see my community stay private and not have any roads attached to it because it's quiet. It's a lovely place to live. I do not want it destroyed. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Town Board on the matter of the proposed?"

Scott Tye, Calverton, "I'm the founder of the Calverton Acre Home Association but I'll be speaking on behalf of myself. I commend this study. I thought it was very well done and planning is needed in the Town of Riverhead. I'd like to go on record by supporting. There is in the recommendations, adjacent to the Wading River Hotel, two small parcels in front of the existing residential development that have been designated for retail use. Due to traffic on Route 25, the potential of strip development, this retail designation should be eliminated and revised to a residential zone and I support that measure. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Board? Yes sir."

Bob Andrews, "I farm the farm on the corner of Hulse Landing Road and Sound Avenue. And I'm also representing Evelyn Finn who lives across the street. We have this farm neighborhood that the man just explained to us. I don't consider myself dumb

but I didn't understand any of it. As far as going along for soil content, I think you need a conservationist here. Because that soil content runs like this all through different places and I don't know how that you could come and say that that environmental issue is going to change our plots. And I think that somebody should look at that map. I have seen it and I know how that runs. It doesn't work out like this man says. And also, a 20 foot slope, did anybody ever hear of a land mover? It takes care of a 20 foot slope. But anyway, we're no different than any of you people. You all have a mortgage on your home. You have an investment and we have the equity in our farm and we don't want to have that equity taken away. It's the same thing. We pay our mortgage. We work for it. If somebody put a town dump across from your house and your value dropped, it would be the same as what's happening to this farm area. And I think that poor Evelyn, she's sitting right there right now, she doesn't even understand what this is all about with the farm neighborhood. I think that we need a little more education on this and I just want to go on record that we're both opposed to this."

Supervisor Janoski, "Thank you. Mr. Hanley, one of the things that those involved in government and mostly working on these things do, is to use words like SEQRA or to refer to SEQRA or discuss yield or to say 40,000 square feet without really pointing out that 40,000 square feet is an acre. That yield means the number of housing units on a parcel of property. So why don't you Mr. Hanley, some of what has been presented and try to do it in a way that we are just hearing it for the first time."

Rick Hanley, "Ok. I'll try. If one owns a piece of property in the Town of Riverhead which is 100 acres and let's assume that that parcel is in a residential "A" zone which is presently a zoning category that exists in the code and is on the town map and you wish to subdivide that land. In other words, create more than one parcel. You would have to make an application to the Planning Board in order to do that. You can not just go to a surveyor, land developer and put in a roadway. You must get an approval from the Riverhead Planning Board in order to file a map with the Suffolk County Clerk. So what the town and all towns have done is they have designed a series of rules and regulations relative to land subdivision. And what they require is certain widths of roadways. They require certain size of lots. They require certain turning radiuses on public highways within the subdivision. There are a myriad of requirements which have been designed to allow for subdivisions which function well relative to the size of the lot, space that people need to live and function well relative to getting to your parcel with your automobile. The zoning map that exists within the Town of Riverhead for the most part now, requires a minimum lot size of 40,000 square feet. That is a little bit less than an acre. An acre is 43,560. And the Riverhead Zoning Code has simplified the matter for us and have said that one acre is 40,000 square feet. So you would see your land subdivider, your professional Mr. Howard

Rick Hanley, Continued

Young for example, and you would ask him to subdivide your land into lots. When we talk about yield, we talk about the number of lots one could expect to get on a parcel. If we take the hypothetical 100 acres, one would think that if it's 100 acres, then I should get 100 lots. Unfortunately, that's not the case. What one must do is submit to the Planning Board a map which shows all of the roadways and which shows a method in which to expect to collect stormwater from those roadways and recharge to the ground because the water has to go somewhere. When I talked about the an 8% rule before, you would assume that on a 100 acre parcel, after you draw out all the roadways and met the town specifications as far as width and you build out your recharge basin, in reality, you don't get 100% yield on your parcel. You get roughly an 80% yield on a typical piece of property in a one acre zone. For the hypothetical piece that we're talking about, that means 80 lots. When the Town Board considers a change to the zoning map which requires a larger minimum lot size, what that in fact does, it changes the yield. It changes the number of lots which you can expect to get on your property. If the change goes from a 40,000 square foot minimum lot size to a 80,000 square foot minimum lot size, your land subdivider would have to show lots of 80,000 square feet. And geometrically, you would get less lots on the piece. So the comment from a number of the speakers here is that when the town begins to move from its existing zoning which is for the most part talking about Wading River now but I'm talking about the entire Town of River for the most part and is 40,000 square foot lots. That change on the map and in the code would in effect, reduce the number of lots that the community could draw on the land that's there. The farm neighborhood zone that is proposed requires a minimum lot size of 80,000 square feet. I think that one thing that's being missed presently is that for the most part, the farm neighborhood zone is drawn here and is presently not a residential zone. It is presently an industrial zone. It was a zoning category that was created in the early 1970's. The reason it was zoned industrial in my mind was not necessarily to encourage heavy industrial use in that area. But the intent of the industrial zoning was to make a land use that was compatible with the existing Grumman facility. The people that did the planning work at that time recognized that there would be problems with residential development relating to the flights of airplanes, the sound emitted by those airplanes and suggested that the only compatible use with that would be an industrial use. The problem being that we have found since the 1970's, that the land or the aquifer that exists underneath that industrially zoned land is a so-so aquifer and all of the regional planning efforts that have been completed over the past five or ten years have been directed toward recognizing the importance of that aquifer and making sure that industrial development does not impact that aquifer negatively. So the 80,000 square foot zone is an attempt to move that land from its industrial category to a residential category and an agricultural land category. Because the subdivision regulations that would apply to that land would require that when one submits a map to the Planning Board for a subdivision, he would show large

Rick Hanley, Continued

agricultural lots as a part of that subdivision map. So when the Planning Board Chairman signs that map and it gets filed with the County Clerk, there would be a small residential portion of the property and there would be an area on the piece that would be in what we call farm lot which is a lot that would allow for a house and would have a minimum lot size that would provide for continued ag. use on the piece."

Supervisor Janoski, "Thank you Rick. Bill."

Bill Nohejl, Aquebogue, "Former resident of Wading River and now of Aquebogue. I have a suggestion to this neighborhood zone. As presented, it would be giving a shaft to the farmers because you'd only get 40 lots out of 100 or 80. You'd cut the yield in half. He is subsidizing the rest of the town. I have a suggestion. Give him the full yield, 80. Let him cluster 40 up and then change the rest of it to farm big lots, the rest of the acreage. There everybody would have an equal equity. You follow what I'm talking about? Don't hurt the farmer. He's your friend. He's the man you're going to pick on because he's only one or two in the neighborhood. Don't do it. You need him. If you want neighborhood zone, give him 40 clustered up and break the rest of it into individual lots. I think you'd be doing a wise thing. Thank you."

Supervisor Janoski, "Thank you Bill. Yes sir. "

Dean Lewin, Wading River, "I'm a farmer here in Wading River and I've been here all my life. I'd just like to go to the map for a minute and maybe they could point out to the audience where our property lines are. As my brother stated before, the eastern boundary of this whole hamlet is our property line and this is something we find very ominous because we are also in here with the Andrews and the Finns. We aren't the only land owners but we have a major portion of this. And the other parcel we find very ominous is this one entirely owned by us and this is centered out as a recreation area. We just want to go on record to state that this confiscatory and very discriminatory."

Councilman Pike, "Dean, I couldn't see the second one you pointed out. Thanks."

Supervisor Janoski, "There was a gentleman over there who had his hand up. No. Is there anyone else present who wishes to address the Board? Yes."

TAPE ENDED AND NEW TAPE DID NOT PICK UP BEGINNING STATEMENT OF NEXT SPEAKER.

Bernie May, "....my property. I would have a real problem with having to get rid of that which is already there. The farm stand business depends heavily on transit traffic, passing in either direction on 25A. People who don't know the area and they have to go either all the way down to Manor Road and circle back

or circle back from Clover Drive to get to the farm stand which I've been hoping to put up for the past three years, it would put a severe dent in my business. The second thing is that my farm doesn't come into the farm neighborhood zone. I feel that it's a very dangerous precedent. I came out here eight years ago planning to farm and raise a family. I spent the last eight years working very hard trying to meet my mortgage payments. I've got another 23 years to go on that mortgage and it just makes me wonder that if somewhere along the line, maybe the sharp point of the planner's pencil isn't going to turn my property into two or five or ten acre zoning. And I wonder how many people in this room would continue to pay a mortgage on a house not knowing if a government agency was going to come along one day and devalue their house by 20 or 40 or 50% in one stroke. Maybe a lot of you would consider selling that house and going to another area. Thank you."

Supervisor Janoski, "Thank you."

Mike Nunci, Wading River, "I would just like to say as far as what I hear about the residents of Wading River and Riverhead proper subsidizing the farms as well as forcing farmers out due to this plan, I feel that the government has perpetuated an awful lot of that upon us just recently as homeowners and residents with the taxes. And the overdevelopment of these properties either by the farmers cashing in on their considerable assets or speculators selling for mass development of this land, would force us out as homeowners by forcing us to raise our taxes and the census. So I'd just like to go record on that."

Supervisor Janoski, "Thank you. Sherry."

Sherry Johnson, Manorville, "Many times in recent years we have come before you and asked for sensible planning. Hopefully with public input, I think this reflects that and I urge you to support it. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board? Way in the back."

Gordon Danby, Wading River, "I would like to commend the Board and the people who worked on this project for their tremendous detailed effort and I'd like to express my support. I'd like to make a couple of other comments. Zoning is painful. And some of the arguments you've heard and you know better than me, this is one of your hardest subjects. It has considerable merit but it has been judged over the years of intelligently based, that zoning is a necessary part of a civilized life because it is the community that gives the value by and large to our properties. By the way, I own six acres and I could have sold them last year for a h--- of a lot of money because I personally think real estate on Long Island is going to decline from overdevelopment. We're going to get more expensive fuel, garbage and so forth. I hope I'm wrong but the last 30 years have been a

windfall in real estate. The previous 30 from what I've read, I don't remember, were terrible. So these things aren't god given. That doesn't mean to be cavalier with these people's concerns. But I remember 25 years ago when it was my turn to be president of the civic, going to the old Town Hall and your predecessors were glad they didn't have a situation like this because all sorts of fine community upstanding citizens created such an uproar like we were communists. I think we were asking for a fifth of an acre and they effectively took over the meeting and drove the people off the stage until Bill Miller perhaps not to his own self interest, shamed them into sitting down and letting the Town Board run the meeting again. So perception has changed. And I believe that this is valid and I think Bill Nohejl is to be commended for attempting to come up with constructive comment. Whether his plan is a good one or not is not for me to say. But for people to come forward, especially the lawyers who live off this in this community who can always find things wrong, why the h--- don't they offer constructive solutions. Because if they stand on the philosophy that zoning is really wrong, they'll have no hearing. I mean it's obvious that without any kind of planning, life would become impossible. So it's a question of balancing rights and it needs the input of all the people and constructive alternatives should be considered. I'm sure you're going to do that. But you can't get away from the fact that if we feel the place with people, nobody is going to be well off. And only the first guy to sell his land is probably going to profit. That's a fact of life as I see it. Thank you."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board?"

Arthur Kreschner, Wading River, "I have a question to the town and the people who did the planning study. I know most of you have children. I would like to know how many of them are going to be able to afford two acres. I mean most of us could only afford one. If we could have bought two, we would have bought. If we could have bought five, we would have bought five. I see a lot of youngsters in the audience here. Where are they going to live? I didn't want to leave this community. I was brought up and raised here. What you're going to do is impact another community somewhere else. We have to make plans for our children here to try and keep them in the community. Thank you."

Supervisor Janoski, "Is there anyone else present wishing to address the Board on these proposals? Mr. Hanley, is there any summation you would like to make? I'm sure Peter Danowski would like to do a summation."

Rick Hanley, "I'd just like to thank everyone for coming. I think it's been a very interesting hearing. The young lady from New York remarked to me that she hasn't seen a broader audience or more intense group. I think you all ought to be commended in your interest. The Planning Department thanks you very much."

Supervisor Janoski, "Thank you Rick. There being no further comment, without objection, this hearing is closed. I also wish (on behalf of the Town Board) to thank you. Obviously when you walked in we were not expecting this kind of a turn out judging from the amount of cookies that we provided and the amount of coffee. Thank you all very much for attending."

There being no further business on motion or vote, the meeting adjourned at 9:05 p.m.

IJP:nm

Irene J. Pendzick
Town Clerk